

ORDINANCE # 07-30-470

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS FOR
FREDERICK COUNTY, MARYLAND TO AMEND & REVISE §§1-2-126 & -127 OF
THE CODE

§1. Definitions - In this Ordinance, the following terms shall have the
meanings indicated

"BOCC" shall mean the Board of County Commissioners for Frederick County,
Maryland.

"Code" shall mean the Frederick County Code, 2004.

§2. Background The BOCC desires to amend & revise §§1-2-126 & -127 of
the Code to provide that the BOCC has the option, but no obligation, to engage in
collective bargaining over wages and benefits with the exclusive representative of
employees of the County's Division of Fire & Rescue Services

§3. Procedural Requirements.

(a) The BOCC initiated this Ordinance on August 29, 2007 by approving and
adopting Resolution #07- 41

(b) The BOCC held an advertised public hearing on this Ordinance on
September 25, 2007

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOCC THAT

§4. Amendment & Revision of §1-2-126 of the Code. – Section 1-2-126 of
the Code is amended & revised to read as follows:

"§ 1-2-126. NEGOTIATION OF WAGES AND BENEFITS

(A) Meetings with exclusive representative. The county's negotiation
committee appointed under §1-2-127 and the exclusive representative ~~[must]~~ MAY
meet ~~[at reasonable times, including meetings in advance of the county's budget-~~
~~making process,]~~ and ~~[must]~~ negotiate in good faith with respect to wages and
benefits, but such ~~[obligation]~~ NEGOTIATIONS may not compel either the county or
the exclusive representative to agree to a proposal or require the making of a
concession.

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4 (B) Number of participants During ANY collective bargaining, each party is
5 allowed to have an equal number of representatives participate in the negotiations

6 (C) Time limit on negotiation Negotiation with the exclusive representative
7 should begin on or after November 15 of each year. The county is not required to
8 negotiate collectively with the exclusive representative if the exclusive representative
9 is not certified by November 15 [~~Negotiations~~] ANY NEGOTIATIONS with the
10 exclusive representative must be completed each year by the following February 15

11 (D) Subjects of negotiation Should an employee organization be certified as
12 the exclusive bargaining representative, items [to] THAT MAY be collectively
13 bargained are

14 (1) Wages; and

15 (2) Benefits including, but not limited to

- 16 (a) Deferred compensation plan,
17 (b) Dental insurance,
18 (c) Health insurance,
19 (d) Holidays,
20 (e) Life insurance,
21 (f) Paid leave,
22 (g) Retirement or pension plan, and
23 (h) Tuition assistance

24 (E) Nonnegotiable subjects All other terms or conditions of employment are
25 not negotiable "¹

26 ¹ Text [~~within brackets and stricken through~~] indicates matter deleted from the existing ordinance
27 CAPITALIZED and underlined text indicates matter added to the existing ordinance
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§5. Amendment & Revision of §1-2-127 of the Code. – Section 1-2-127 of the Code is amended & revised to read as follows

“§ 1-2-127 NEGOTIATION COMMITTEE

(A) Appointment of committee The County Manager [will] MAY form a committee to engage in collective bargaining with the exclusive representative

(B) Supervision The County Manager will oversee the work of ANY committee.”²

§6. Effective Date. - This Ordinance shall be effective on the 25th day of September, 2007

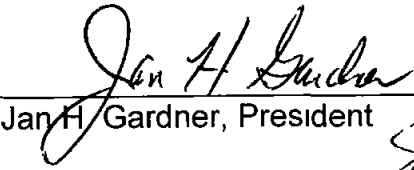

The undersigned hereby certifies that the Board of County Commissioners of Frederick County, Maryland approved and adopted the foregoing Ordinance on the 25th day of September, 2007.

ATTEST

BOARD OF COUNTY
COMMISSIONERS FOR FREDERICK
COUNTY MARYLAND

By


Ronald A Hart, County Manager


Jan H Gardner, President 

² Text [within brackets and stricken through] indicates matter deleted from the existing ordinance CAPITALIZED and underlined text indicates matter added to the existing ordinance